

### REMARKS

Claims 11-24 are pending in the application, with claims 11, 12, 13 and 15 being independent. Claims 11, 12, 13 and 15 have been amended and new claims 17-24 have been added. Support for the amendments and the new claims may be found in the application at, for example, page 5, lines 22-25. No new matter is introduced.

Claims 11-16 have been rejected as being unpatentable over Sano (U.S. Patent No. 5,694,188) in view of Wakita (U.S. Patent No. 5,574,593) and Kobayashi (U.S. Patent No. 5,305,126). Applicant requests reconsideration and withdrawal of this rejection because no proper combination of Sano, Wakita and Kobayashi describes or suggests an arrangement in which a cell thickness  $d$  between the pair of substrates is in a range of  $1\mu\text{m} < d < 10\mu\text{m}$ , as recited in each of the independent claims.

At col. 5, lines 20-23, Sano discloses that “When the guest-host type liquid crystal is used, it is desirable that the height of the wall of the comb-shaped wall electrode, which corresponds to the cell gap, be 15 to 40  $\mu\text{m}$ .” Sano then goes on to state that problems with the contrast ratio may occur if the cell gap is less than 15  $\mu\text{m}$ . See col. 5, lines 23-24. Thus, Sano explicitly teaches away from using a cell thickness in the range recited in the claims.

While Wakita indicates, at col. 10, lines 56-57, that substrates are “attached to each other by means of a spherical spacer at an interval of 5  $\mu\text{m}$ ,” nothing in Wakita would have led one of ordinary skill in the art to ignore Sano’s strong preference for a gap of 15  $\mu\text{m}$  or more.

Similarly, while Kobayashi indicates, at col. 10, lines 34-36, that a cell gap of 10  $\mu\text{m}$  is used, nothing in Kobayashi would have led one of ordinary skill in the art to ignore Sano’s strong preference for a gap of 15  $\mu\text{m}$  or more.

Accordingly, for at least these reasons, the rejection should be withdrawn.

Applicant : Takeshi Nishi, et al  
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The fee in the amount of \$120 for a one-month extension of time is being paid concurrently herewith on the electronic filing system (EFS). Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John F. Hayden", is written over a horizontal line.

John F. Hayden  
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